

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

YVETTE COLEMAN

§

VS.

§

NO. _____

BANK OF AMERICA CORP.

§

PLAINTIFF'S ORIGINAL COMPLAINT

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW, YVETTE COLEMAN, Plaintiff, complaining of Bank of America Corp., and for cause of action, would show the following:

A.

Parties

1. Yvette Coleman, Plaintiff, is a resident of the Northern District of Texas.
2. Defendant Bank of America Corp. is a corporate entity and conducts business in the Norther District of Texas, Dallas Division.

B.

Jurisdiction

3. Plaintiff brings this action pursuant to Title VII of the Civil Rights Act of 1964. Jurisdiction is conferred on the Court by 42 U.S.C. § 2000e-5.

C.

Venue

4. Venue is proper in this Court under 28 U.S.C. § 1391 (b) (2) as a substantial portion of the acts and omissions giving rise to Plaintiff's claims occurred in this District and Division.

D.

Fact Statement

5. Plaintiff is an African-American female who was employed by Defendant at its business location of 2380 Performance Drive in Richardson, Texas. Plaintiff had been so employed since January 2011.

6. Plaintiff was wrongfully terminated for discriminatory reasons on or about April 20, 2016.

7. Defendant terminated Plaintiff allegedly because it suspected her of structuring financial transactions an illegal activity. This reason constituted

a pretext for unlawful racial discrimination. This reason was both unlawful, untrue and pretextual because Plaintiff did not engage in unlawful structuring of financial transactions. At all times, Plaintiff used money she acquired through honest means and sources—the proceeds of her late father’s insurance claim. Plaintiff used the proceeds for lawful reasons, to pay contractors who were remodeling her mother’s home. No attempt was made to conceal the origin of the proceeds or the nature of the transactions. Defendant knew this, but terminated Plaintiff in any event.

E.

Cause of Action: Discriminatory Termination

8. In order to prove a cause of action for discriminatory termination, a plaintiff must prove: (a) the plaintiff is a member of a protected group; (2) the plaintiff was qualified for the job that was held; (3) the plaintiff was discharged; and (4) after the employer discharged the plaintiff, the employer filled the position with a person who is not a member of a protected group.

9. Plaintiff is a member of a protected group as she is an African-American female.

10. Plaintiff was qualified for the job she held, as she had worked for Defendant since 2011 without incident.

11. Plaintiff was discharged from her job in April 20, 2016.
12. Plaintiff was replaced with a person outside the protected group.
13. As related in Section D above, the reasons given for Plaintiff's discharge were pretextual.

F.

Exhaustion of Administrative Remedies

14. Plaintiff filed a complaint with the Equal Employment Opportunity Commission. A copy of the complaint is attached to this Complaint as Exhibit A and is incorporated herein by reference.

15. Plaintiff has received a Notice of Right to Sue letter from the Equal Employment Opportunity Commission. A copy of this letter is attached to this Complaint as Exhibit B and is incorporated herein by reference.

G.

Damages Requested

16. Plaintiff therefore seeks compensatory and punitive damages as allowed by law.

H.

Conclusion and Prayer for Relief

Plaintiff prays that Defendant be cited to appear and answer and that on final trial of this cause, that she receive her compensatory and punitive damages, attorney's fees and costs of court, as well as such other and further relief to which she may be entitled.

Respectfully submitted,

/s/ Faith S. Johnson

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